

App. No. 09/851,720
Reply to non-final Office Action of November 8, 2007

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REMARKS/ARGUMENTS

This paper is responsive to the Office Action dated November 8, 2007. Upon entry of the present amendment, claims 3-5, 22-34, and 41-60 are pending. With regard to the pending claims, 3-5 and 22-34 are withdrawn, no claims are amended, and claims 41-60 are new.

Claims 1 - 34 were pending in the original application. Pursuant to a restriction requirement, Claims 3-5 and 22-34 were previously withdrawn from consideration. Election of Claims 1, 2 and 6-21 was made without traverse. In an amendment filed May 19, 2006, Applicant cancelled Claims 1, 2, 12 and 20, offered new Claim 35, and amended Claims 6-8, 10-11 and 15-17. In an amendment dated August 31, 2007, claim 35 was canceled, and new claims 36-40 were added. Applicant now cancels claims 6-11, 13-19, 21 and 36-40 and offers new claims 41-60.

I. Claim Rejections under 35 USC § 112

The Examiner has rejected claim 36 under 35 U.S.C. 112(1) as failing to comply with the written description requirement. Examiner contends that claim 36 contains matter that was not sufficiently set forth in the specification in such a way as to convey to one skilled in the art that the inventor, at the time the application was filed, had intellectual possession of the claimed invention. More specifically, the Examiner contends that a "programmable recording/controller for analyzing the treatment of coating on the coated articles" is not sufficiently described in the specification. In response, the Applicant respectfully points out that the Examiner is referring to language from claim 1, which is now canceled. Furthermore, upon entry of this amendment, claim 36 is also canceled, thereby rendering this rejection moot.

The Examiner has also rejected claim 36 under 35 U.S.C. 112(2) as failing to particularly point out and distinctly claim the invention. More specifically, the Examiner contends that claim 36 recites "a programmable recording/controller for analyzing the treatment of coating on the coated articles and subsequently controlling treatment of the coated articles in accordance with the previous analysis." Again, the Applicant respectfully points out that the cited language

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derives from claim 1, which is now canceled, rather than claim 36. Furthermore, this rejection is rendered moot because claim 36 is canceled upon entry of the present amendment.

II. Claim Rejections under 35 USC § 103

The Examiner has rejected independent claim 36 and dependent claims 6-11, 14-19, and 21, each of which depends from claim 36, under 35 USC 103(a) as being unpatentable over Rudd (U.S. Patent No. 5,901,462) in view of Anderson (US 5,124,552). Specifically, the Examiner contends that Rudd discloses an infrared heating source that is within the scope of independent claim 36. We disagree. However, the Applicant has elected to cancel independent claim 36 and dependent claims 6-11, 14-19, and 21. Thus the present rejection is rendered moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw this rejection.

The Examiner has rejected claim 13 under 35 USC 103(a) as being unpatentable over Rudd in view of Anderson and in further view of Yamada (U.S. Patent No. 4,916,487). Specifically, the Examiner contends that Rudd and Anderson teach every element of the claimed invention except for a reversible belt drive direction. Again, Applicant disagrees with the Examiner, but the Applicant has elected to cancel claim 13. Thus the present rejection is rendered moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw this rejection.

Finally, the Examiner has rejected claims 37-40 under 35 USC 103(a) as being unpatentable over Rudd, and relies on ordinary skill in the art to supply the missing elements. Specifically, the Examiner contends that Rudd teaches each and every element of the claimed invention with the exception of "programmable operability," and that it would have been obvious to one of skill in the art "to provide a specific programmable operability, since the prior art would perform the invention as claimed regardless of the programmable operability." Again, we disagree. However, the Applicant has elected to cancel parent claim 36 as well as claims 37 through 40. Thus the present rejection is rendered moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw this rejection.

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CONCLUSION

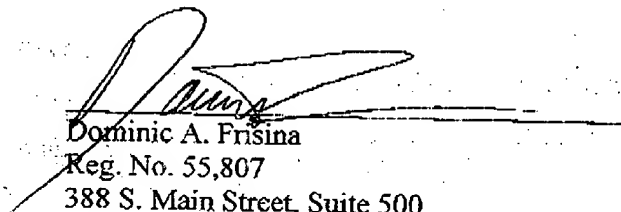
It is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application. Although the Applicant believes that no fee is due, the Commissioner is hereby authorized to charge any necessary fees to Deposit Account No. 50-1210, referencing our Docket No. 30188.30008.

Respectfully submitted,
BROUSE MCDOWELL

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Telephone No.: (330) 535-5711
Fax No.: (330) 253-8601

#666839


Dominic A. Frisina
Reg. No. 55,807
388 S. Main Street, Suite 500
Akron, Ohio 44311-4407